

REMARKS

Claims 1, 2 and 4 stand rejected under 35 U.S.C 102(b) as be anticipated by Schroder et al. (U.S. Patent No. 5,197,052). Claims 3, 5 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Schroder et al. in view of Brown et al. (U.S. Patent No. 6,366,622). Claim 1 has been amended, support for these amendments can be found in the specification at least on page 5, line 30 through page 6, line 16. No new matter has been added. Claims 1-6 are pending.

Further, In the Office Action, the Examiner suggested adding headings to the specification. Applicant gratefully acknowledges the Examiner's suggestion, however respectfully declines to add the headings as they are not required in accordance with MPEP §608.01(a).

The Final Office action objects to the disclosure for lacking section headings under 37 CFR 1.77(b). Applicants respectfully traverse this objection. Applicants prefer not to add section headings. Such section headings are not statutorily required for filing a non-provisional patent application under 35 USC 111(a), but per 37 CFR 1.51(d) are only guidelines that are suggested for applicant's use. They are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

"Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."

Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75.

On the merits, applicants respectfully submit that the pending claims, as amended, are patentable for at least the following reasons.

Amended independent claim 1 is directed to a foot-operated input unit for a computer, which forms a dictating machine, the foot-operated input unit comprising: a processor configured to enable foot-operated control information input for operation of the dictating machine; a headphone or loudspeaker coupled to the foot-operated input unit, wherein audio information from the dictating machine is delivered to headphones or loudspeaker; a connection for connecting the foot-operated input unit to the computer, wherein control information is delivered to the computer using the connection; a digital data bus link coupled to the connection, wherein the connection device is arranged for receiving the audio information as digital audio data from the computer and delivering the control information as control data to the computer using the digital data bus link.

Applicants respectfully submit that Schroder et al. and Brown et al., alone or in combination, do not teach, show or imply a foot-operated input unit that includes a headphone or loudspeaker coupled to the foot-operated input unit,

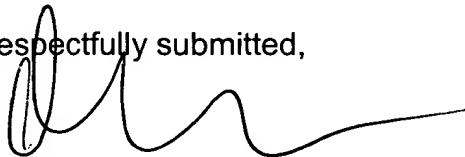
wherein audio information from the dictating machine is delivered to headphones or loudspeaker; a connection for connecting the foot-operated input unit to the computer, wherein control information is delivered to the computer using the connection; a digital data bus link coupled to the connection, wherein the connection device is arranged for receiving the audio information as digital audio data from the computer and delivering the control information as control data to the computer using the digital data bus link, as recited in amended claim 1.

Since Schroder et al. and Brown et al., do not teach, show or suggest all of the features of amended independent claim 1, as recited above, applicant respectfully submits that this claim is patentable over these references.

Claims 2-6 in this application are dependent from claim 1 discussed above and is, therefore, believed allowable and patentable for at least the same reasons.

The applicants submit that the claims, as they now stand, fully satisfy the requirements of 35 U.S.C. 102 and 103. In view of the foregoing amendments and remarks, entry of this amendment, favorable reconsideration and early passage to issue of the present application are respectfully solicited.

Respectfully submitted,



Daniel Piotrowski, Reg. 42,079
Patent Attorney
(914) 333-9624

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

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On April 14th, 2004

By Edna Chayra